

ENVIRONMENTAL STANDARDS WAIVER APPLICATION

In accordance with the Environmental Standards for Development Regulation
(Regulation No. 01-01)

All information requested in this application must be answered completely.

Application No.	_____
Fee	_____
Date Filed	_____
P&CA Review Date	_____
DPW&E Review Date	_____
PC Review Date	_____
PC Action	_____
M&CC Review Date	_____
M&CC Decision	_____
Decision Date	_____

PROJECT NAME _____

LOCATION _____

PARCEL NUMBER _____ **PROPERTY TAX ID** _____ **ZONE** _____

MARYLAND SUBWATERSHED #: ☐ Muddy Branch ☐ Great Seneca ☐ Other _____
 # 02140202 # 0214208 # _____

TRIBUTARY: ☐ Muddy Branch ☐ Long Draught Branch ☐ Whetstone Run ☐ Other _____

APPLICANT _____ **TELEPHONE** _____

ADDRESS _____

CONTACT PERSON _____ **TELEPHONE** _____

OWNER _____ **TELEPHONE** _____

ADDRESS _____

NATURE OF WAIVER REQUEST

The size of the site: _____ The size of the area impacted by the waiver: _____

Environmentally sensitive areas impacted by the waiver:

- | | | |
|--|--|---|
| <input type="checkbox"/> streams/floodplains | <input type="checkbox"/> wetlands | <input type="checkbox"/> rare/threatened/endangered/watchlist species |
| <input type="checkbox"/> headwaters | <input type="checkbox"/> wetland buffers | <input type="checkbox"/> critical habitat |
| <input type="checkbox"/> stream buffers | <input type="checkbox"/> forest | <input type="checkbox"/> erodible/unsuitable soils |
| <input type="checkbox"/> cultural resources | <input type="checkbox"/> specimen trees | <input type="checkbox"/> other _____ |

The current level of stream quality (according to the most recent stream assessment): _____

Briefly describe the nature of the waiver: _____

Identify any potential hazards and/or downstream impacts: _____

Describe the current and proposed land use of the area impacted by the waiver: _____

SUBMISSION REQUIREMENTS

An application for an environmental waiver must be submitted to the City Council for review prior to site plan approval. If staff concur that a waiver would cause a minor impact, the applicant may submit a letter to the City Council requesting that the Council delegate the authority to the Planning Commission to review and grant the waiver during the site plan review process.

- ☐ **A written statement describing the waiver request.**
Address all waiver criteria identified in Section 38 of the Environmental Standards for Development Regulation (see below).
- ☐ **A description of all proposed mitigation and compensation measures,** including type, size, location and description of the benefits associated with the proposed enhancements.
- ☐ **All appropriate plans,** e.g., NRI/FSD, site plan, etc.
Tree (3) copies of full size plans folded to 8½" x 11" and one (1) reduced copy that fits on 8½" x 11"
- ☐ **Supporting documentation,** e.g., photographs, elevations, environmental studies, etc.
- ☐ **Fees** (see fee schedule).

WAIVER CRITERIA

According to Section 38 of the Environmental Standards for Development Regulation, waivers will only be granted upon:

- ☐ Completion of required approvals, rulings, permits, or waivers from all appropriate State and Federal findings agencies.
- ☐ A showing of good and sufficient cause and meeting the criteria outlined in Article III of the regulation, including:
 - ☐ Reasonable alternatives are not available.
 - ☐ Encroachment/disturbance is minimized.
 - ☐ Existing sensitive areas have been avoided.
 - ☐ The proposed use is consistent with the preferred use of the buffer.
 - ☐ The plan design provides full or partial compensation for the loss of buffer function from the disturbance.
 - ☐ There is measurable improvement in the effectiveness of the SWM system if it is placed in the buffer.
 - ☐ Excessive grading would be caused by using an uphill SWM location.
 - ☐ Severely degraded conditions exist within the buffer area that could not be improved if the SWM facility is outside the buffer area.
 - ☐ Man-made structures (e.g., farm ponds) exist in the buffer that can be converted to SWM use without excessive disturbance.
- ☐ A determination that failure to grant a waiver would result in unnecessary or undue hardship to the applicant.
- ☐ A determination that the granting of the waiver will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, or the creation of nuisances.
- ☐ A determination that there are no conflicts with existing local and State laws or ordinances.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Signature: _____ Date: _____